

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**JOSEPH J. SMITH  
ADC #127880**

**PLAINTIFF**

**v.**

**5:07CV00198-WRW**

**CARL GRISWOLD, *et al.***

**DEFENDANTS**

**ORDER**

The Court has reviewed the Proposed Findings and Recommended Disposition received from Magistrate Judge Jerry Cavaneau and the objections filed in response, and has further reviewed the relevant record *de novo*. The Findings and Recommendations are adopted in their entirety as this Court's findings in all respects.

Accordingly, Defendant Griswold's Motion for Summary Judgment (Doc. No. 43) and Defendants Anderson's and CMS' Motion for Summary Judgment (Doc. No. 49) are GRANTED. Plaintiff's case is DISMISSED in its entirety and all pending motions are DENIED as MOOT.

The Court further certifies an *in forma pauperis* appeal from this Order adopting the recommendations, and any Judgment entered, would not be taken in good faith.

IT IS SO ORDERED this 23<sup>rd</sup> day of March, 2009.

/s/Wm. R. Wilson, Jr.  
UNITED STATES DISTRICT JUDGE